

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,) Case No. 08-3137M-001

Plaintiff, } ORDER

VS.

Nizan Erives-Madrid

Defendant.

Pursuant to the Defendant's Motion, good cause appearing and there being no objection from the Government,

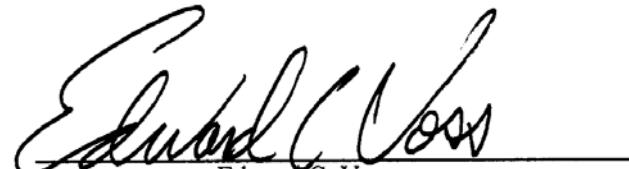
IT IS HEREBY ORDERED granting the Defendant's *Motion to Extend Time to Indict* and extending the time deadline an additional thirty (30) days within which the Government must file an indictment pursuant to 18 U.S.C. Sec. 3161.

The Court specifically finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the Defendant. This finding is based upon the Court's conclusion that: (1) counsel for the Defendant has only recently been appointed; (2) the Defendant wishes to consider the plea offer extended by the Government; (3) the defense requires additional time to investigate the matter; (4) the plea offer, if accepted by the Defendant and the Court, would likely reduce the Defendant's exposure to imprisonment; (5) the Government will likely withdraw the plea offer if not timely accepted prior to indictment and a subsequent plea offer, if any, would

1 likely be less advantageous; and (6) failure to extend time would thus operate to bar the
2 Defendant from reviewing the Government's plea offer in a meaningful way prior to
3 indictment.

4 IT IS FURTHER ORDERED that excludable time shall begin to run on the 31st
5 day after arrest for a period of thirty (30) days in which the government may present the
6 case to the grand jury.
7

8 Dated this 12th day of May, 2008.

9
10 
11 Edward C. Voss
12 United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23
24
25